

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENLYTE THOMAS GROUP LLC,
a Delaware Limited Liability Company
Plaintiff,

v.

ARCHITECTURAL LIGHTING SYSTEMS, a
division of ARCH LIGHTING GROUP, a
Rhode Island Corporation

Defendant.

Civil Action No. 05-CV-10945 WGY

GENLYTE THOMAS' PROPOSED VOIR DIRE

Plaintiff Genlyte Thomas Group LLC submits the following proposed questions to be asked of the jury on *voir dire*.

1. There are two companies in this case. Plaintiff is Genlyte Thomas Group. It is represented in Court by its attorneys James E. Milliman, James R. Higgins and Robert Theuerkauf. They are members of the firm of Middleton Reutlinger. They are joined by attorney Kevin Gannon who is a member of the firm of Cesari and McKenna. A company called Lightolier is a division of Genlyte Thomas and is located in Wilmington and Fall River, Massachusetts. We will call the Plaintiff "Genlyte" or "Lightolier".
2. The Defendant is Arch Lighting Group and its division of Architectural Lighting Systems and it is represented in Court by its attorney Brett N. Dorny. We will call the Defendant "ALS". It is located in Taunton, Massachusetts.
3. Do you or any member of your family have a financial or business relationship with any of the attorneys or law firms in this case?

4. Have you or any member of your family ever been employed by any of the attorneys or law firms in this case?

5. Do you or any member of your family have a financial or business relationship with Genlyte Thomas, Lightolier or ALS?

6. Have you or any member of your family ever been employed by Genlyte Thomas, Lightolier or ALS?

7. The law firm of Salter & Michaelson may be mentioned in this case. Have you or any member of your family ever been employed by Salter & Michaelson? Have you or any member of your family ever done business with Salter & Michaelson?

8. Have you or any member of your family ever been involved in any litigation which involved any of the attorneys in this case?

9. The following individuals may be called as a witness in this case:

- a. William Fabbri
- b. Roy Crane
- c. Tom Lemons
- d. Michael Tate
- e. Scott Davis
- f. Paul Northrup
- g. Ian Lewin

Messrs. Fabbri and Crane are employees of Lightolier. Messrs. Davis and Northrup are employees of ALS.

Are you or any member of your family related to any of these individuals? Do you or any member of your family know any of these individuals?

10. Do any of you have a medical condition that would prevent you from sitting for a prolonged period of time?

11. Do you have difficulty hearing or seeing well?

12. As this case may last up to 10 days, would any of you be severely burdened with financial, business or family issues that would distract you from this case or make it difficult to concentrate?

13. Have any of you ever filed a civil suit against another?

a. Did it go to trial?

b. Was your experience with the jury system positive or negative?

14. Have any of you had an experience in the justice system that would make it difficult for you to participate in this case with a fair and open mind?

15. Has anyone ever participated in the practice of law either as an attorney, paralegal, or an employee of a law firm or law department or the court system?

16. Has anyone ever participated in the practice of engineering either as an engineer, technician, designer, an employee of an engineer, engineering firm or the engineering department of a company?

a. What field of engineering?

17. Has anyone worked in the lighting industry?

a. In what capacity?

18. Have any of you ever filed a patent application?

a. Did you obtain the patent?

19. Do any of you work with patents or have a specific understanding of patents?

20. Have any of you or any member of your family ever invented anything?

21. Do any of you have an issue with the principle that the government provides patents to inventors for the purpose of allowing the holders of the patents to exclude other persons from using their ideas?

22. Does anyone own a small business?

a. Would your ownership of a small business cause you to have a bias against larger companies?

23. Can each of you listen to the evidence in this case and decide this case based solely on the evidence without regard to the size of the companies in this case?

24. Does anyone work in a hospital?

a. What do you do?

25. Is there any reason known only to you, why you do not think you can be a fair an impartial juror in this case?

Respectfully submitted,

/s/ Kevin Gannon

James E. Milliman (Pro hac vice)
James R. Higgins, Jr. (Pro hac vice)
Robert J. Theuerkauf (Pro hac vice)
MIDDLETON REUTLINGER
2500 Brown & Williamson Tower
Louisville KY 40202
Telephone: (502) 584-1135
Facsimile: (502) 561-0442

-and-

Thomas C. O'Konski BBO#337475
Kevin Gannon BBO#640931
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210
Telephone: (617) 951-2500
Facsimile: (617) 951-3927

Counsel for Plaintiff, Genlyte Thomas Group LLC

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 20th day of January, 2007.

/s/ Kevin Gannon

Counsel for Plaintiff, Genlyte Thomas Group LLC